

1 BILL NO. R-96-03-17

RESOLUTION NO. R-17-96

2 A RESOLUTION APPROVING
3 RESOLUTION 82-195-7 OF THE
4 FORT WAYNE BOARD OF PUBLIC
5 WORKS APPROVING THE
6 ACQUISITION OF REAL ESTATE
7 FOR THE HEADWATERS FLOOD
8 CONTROL AND PARK PROJECT

9 WHEREAS, the Fort Wayne Board of Public Works desires to acquire
10 certain lands in the City of Fort Wayne for the purpose of flood control and the
11 eventual use of parts thereof for a public park to be known as Headwaters Park; and

12 WHEREAS, the Board of Public Works is the purchasing agent pursuant to
13 I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

14 WHEREAS, the Board of Public Works has employed the Fort Wayne
15 Redevelopment Commission as its agent in the negotiation for and purchase of
16 such real estate, relocation, environmental remediation, demolition, and other
17 functions in aid of acquisition and site preparation; and

18 WHEREAS, the Board of Public Works has adopted resolutions 80-146-11,
19 80-194-7, and 81-30-9 accepting the Redevelopment Commission's
20 recommendation to acquire a total of twenty nine (29) parcels of real estate for
21 the project; and

22 WHEREAS, the Redevelopment Commission has identified an additional
23 parcel for acquisition; and

24 WHEREAS, the parcel is described as the south two hundred fifty (250) feet
25 of the north three hundred twenty five (325) feet of lot number six (6) in Eliza
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1 Hanna Sr.'s subdivision to the City of Fort Wayne, Allen County, Indiana,
2 excluding the south forty seven (47) feet thereof; commonly known as 330 South
3 Clinton Street, or the old Indiana Army National Guard armory; and

4 WHEREAS, the Redevelopment Commission anticipates making a purchase
5 offer jointly with Allen County, wherein Allen County will offer to purchase the
6 south forty seven (47) feet of the property; and
7

8 WHEREAS, the Redevelopment Commission has retained an independent
9 state licenced MAI appraiser for the purpose of reviewing an appraisal of the real
10 estate paid for by the State Armory Board, which appraisal was itself the work of
11 three local MAI appraisers; and
12

13 WHEREAS, the Redevelopment Commission recommends that the maximum
14 offering price for the real estate be established as \$29,255.00, which price
15 represents the allocation of value of the City's portion of the real estate
16 determined by the review appraiser.
17

18 WHEREAS, the Board of Works has adopted Resolution 82-195-7 approving
19 said parcel of real estate for acquisition.


20 WHEREAS, pursuant to Indiana Code 36-1-10.5-5 et seq. the Redevelopment
21 Commission may not proceed with the acquisition process on behalf of the Board
22 of Works until the approval of Resolution _____ By this Common Council;
23 and
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25 WHEREAS, this Common Council has reviewed said Resolution and desires
26 to approve same.
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1 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
2 OF THE CITY OF FORT WAYNE, INDIANA:

3 SECTION 1. Resolution 82-195-7 of the Fort Wayne Board of Public
4 Works, attached hereto as Exhibit "A," is hereby approved, ratified, and
5 confirmed.
6

7 SECTION 2. This Resolution shall be in full force and effect from and
8 after its passage and approval by the Mayor.
9

10 
11 _____
Council member

12 APPROVED AS TO FORM AND LEGALITY

13 
14 _____
J. Timothy McCaulay, City Attorney



FORT WAYNE REDEVELOPMENT COMMISSION

TO: Members of the City of Fort Wayne Common Council
FROM: Ronald R. Fletcher, Executive Director *RF*
DATE: March 22, 1996
SUBJECT: Acquisition of the Real Estate for Headwaters Park

BACKGROUND

The Fort Wayne Redevelopment Commission has entered into an intergovernmental agreement with the Fort Wayne Board of Public Works to act as the Board's agent for the acquisition of real estate for the Headwaters Flood Control and Park project. Under the terms of the agreement, the Redevelopment Commission is also authorized to carry out any necessary business relocation, environmental remediation, and demolition, and other activities in aid of site preparation. To date the Board of Works and the Common Council have approved twenty nine parcel of real estate for acquisition. Headwaters Park is requesting the acquisition of an additional parcel, described generally as the south two hundred fifty (250) feet of the north three hundred twenty five (325) feet of lot number six (6) in Eliza Hanna Sr.'s subdivision to the City of Fort Wayne, Allen County, Indiana, excluding the south forty seven (47) feet thereof; commonly known as 330 South Clinton Street, or the old Indiana Army National Guard armory. On Wednesday, March 20, the Board of Works adopted Resolution 82-195-7 provisionally approving the acquisition.

The armory was appraised at \$410,000. The State Armory Board has allowed the following deductions:

\$410,000	Appraised value if site cleared
-133,000	Estimated cost of armory demolition
- 12,000	Estimated cost of maintenance bldg. demo.
	Estimated cost of environmental remediation
<u>-170,250</u>	if structures are demolished
\$ 94,750	Adjusted cost of the armory

Of the \$94,750, the City's cost is \$29,255 for most of the land and the armory itself. The balance, \$65,495, is Allen County's cost to acquire the south forty seven (47) feet of the property. The City's cost is lower because most of the demolition and all of the environmental remediation costs are attributable to the armory itself.

Members of Fort Wayne Common Council
March 22, 1996
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HIGHLIGHTS OF THE PROPOSED ORDINANCE

The proposed resolution approves, ratifies, and confirms the Fort Wayne Board of Works Resolution 82-195-7 which provisionally approves the acquisition the aforementioned real estate.

RECOMMENDATION

I recommend that Council adopt the attached resolution. It is important that the City gain control of the armory real estate so that it can be made part of the Headwaters project.

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 82-195-7

RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE FOR THE HEADWATERS FLOOD CONTROL AND PARK PROJECT AND ESTABLISHING THE ACQUISITION AMOUNT

Whereas, the Fort Wayne Board of Public Works desires to acquire certain lands in the City of Fort Wayne for the purpose of flood control and the eventual use of parts thereof for a public park to be known as Headwaters Park; and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting such acquisition; and

WHEREAS, the Board of Public Works has employed the Fort Wayne Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and site preparation; and

WHEREAS, the Board of Public Works has adopted resolutions 80-146-11, 80-194-7, and 81-30-9 accepting the Redevelopment Commission's recommendation to acquire a total of twenty nine (29) parcels of real estate for the project; and

WHEREAS, the Redevelopment Commission has identified one additional parcel for acquisition; and

WHEREAS, the parcel is described as the south two hundred fifty (250) feet of the north three hundred twenty-five (325) feet of lot number six (6) in Eliza Hanna Sr.'s subdivision to the City of Fort Wayne, Allen County, Indiana, excluding the south forty seven (47) feet thereof, commonly known as 330 South Clinton Street, or the old Indiana Army National Guard Armory; and

WHEREAS, the Redevelopment Commission anticipates making a purchase offer jointly with Allen County, wherein Allen County will offer to purchase the south 47 feet of the parcel; and

WHEREAS, the Redevelopment Commission has retained an independent state licensed MAI appraisers for the purpose of reviewing an appraisal of the real estate paid for by the State Armory Board, which appraisal was itself the work of three local MAI appraisers; and

WHEREAS, the Redevelopment Commission recommends that the maximum offering price for the parcel be established as \$29,255.00, which price represents the allocation of value determined by the review appraiser.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:



1. The parcel herein identified is approved for acquisition.
2. The maximum offering price for the parcel is hereby established as \$29,255.00

Resolved this 20 day of March, 1996.

FORT WAYNE BOARD OF PUBLIC WORKS


Linda Buskirk, Director

ATTEST:


Patricia J. Crick, Clerk
C. James Owen, Member
Terrance P. McCaffrey, Member

Read the first time in full and on motion by Henry,
and duly adopted, read the second time by title and referred to the
committee on Finance (and the City Plan Commission
or recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on 3-26-96, the 3 day of
March, 1996, at 8:30 o'clock
M., E.S.T.

DATED: 3-26-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 4-9-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-17-96
on the 9th day of April, 1996

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

O. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10th day of April, 1996,
at the hour of 3:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of April,
1996, at the hour of 8:30 o'clock A M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE Headwaters Park Land Acquisition

DEPARTMENT REQUESTING ORDINANCE Redevelopment

SYNOPSIS OF ORDINANCE Approves, ratifies, and confirms Resolution 82-195-7 of the Fort Wayne Board of Public Works approving the acquisition of the old Armory for Headwaters Park.

EFFECT OF PASSAGE Acquisition can proceed. City gains control of the real estate

EFFECT OF NON-PASSAGE Acquisition cannot proceed. City risks losing control of the real estate.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$29,255.00

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. R-96-03-17

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN XXXXXXXXXXXX (RESOLUTION) APPROVING RESOLUTION 82-195-7
OF THE FORT WAYNE BOARD OF PUBLIC WORKS APPROVING THE
ACQUISITION OF REAL ESTATE FOR THE HEADWATERS FLOOD CONTROL
AND PARK PROJECT

HAVE HAD SAID XXXXXXXXXX (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE XXXXXX) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas C. Henry
John N. Crawford

James J. Conroy
Thomas E. Hoffmeyer
Robert J. Carver

DATED: 4-2-96

Sandra E. Kennedy
City Clerk